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FILED
JUN 23 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHANE D. MOSLEY, SR.,

Plaintiff,

vs.

VICTOR CONTE,

Defendant.

Case No. C 08-01777 JSW

**[PROPOSED] ORDER MODIFYING
BRIEFING SCHEDULE ON
DEFENDANT'S MOTION TO STRIKE
COMPLAINT PURSUANT TO
CALIFORNIA'S ANTI-SLAPP
STATUTE [C.C.P. §425.16]
STRATEGIC LAWSUIT AGAINST
PUBLIC PARTICIPATION ("SLAPP")**

HON. JEFFREY S. WHITE

1 On June 2, 2008, the Court issued an Order Setting Briefing Schedule on Plaintiff's
2 Motion to Strike. The Court ordered that the Plaintiff's Opposition Brief be filed no later than
3 June 16, 2008 and Defendant's Reply Brief be filed no later than June 23, 2008.

4 Since that scheduling order the parties have been focused on efforts to resolve subject
5 matter jurisdiction issues. The parties submit that good cause exists to modify the briefing
6 schedule so that the parties can continue to focus their efforts on resolving these issues.

7 Accordingly, the parties respectfully request that the Court modify the scheduling order
8 as follows:

- 9 • Defendant's Reply Brief may be filed no later than June 30, 2008.

10 **APPROVED AS TO FORM:**

11 DATED: June 20, 2008

12 **KERR & WAGSTAFFE LLP**

13
14 By 

IVO LABAR

15 Attorneys for Defendant
16 Victor Conte

17 DATED: June 20, 2008

18 By 

JUDD BURSTEIN

19 Attorneys for Plaintiff
20 Shane Mosley

21 **ORDER**

22 The parties proposed modified briefing schedule on the motion to strike is hereby
23 adopted as the Order of the Court.

24 **IT IS SO ORDERED.**

25
26 DATED: June 23, 2008.

27 
28 HON. JEFFREY S. WHITE
U.S. DISTRICT COURT